

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title of application: **APPARATUS AND METHOD FOR CONTROLLING
AN OPTICAL TRANSCEIVER**

the specification of which (check one)

 X is attached hereto.

_____ was filed on _____
as Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Claimed

_____ Yes _____ No
(Number) (Country) (MM/DD/YYYY)

Certified Copy Attached? _____ Yes _____ No

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John W. Henderson, Jr., Reg. No. 26,907; James H. Barksdale, Jr., Reg. No. 24,091; Thomas E. Tyson, Reg. No. 28,543; Robert M. Carwell, Reg. No. 28,499; Jeffrey S. LaBaw, Reg. No. 31,633; Douglas H. Lefevre, Reg. No. 26,193; Casimer K. Salys, Reg. No. 28,900; David A. Mims, Jr., Reg. No. 32,708; Mark E. McBurney, Reg. No. 33,114; Anthony V. England, Reg. No. 35,129; Volel Emile, Reg. No. 39,969; Leslie A. Van Leeuwen, Reg. No. 42,196; Christopher A. Hughes, Reg. No. 26,914; Stanley B. Green, Reg., No. 24,351; John E. Hoel, Reg. No. 26,279; Joseph C. Redmond, Jr., Reg. No. 18,753; and Marilyn S. Dawkins, Reg. No. 31,140, Cynthia S. Byrd, Reg. No. 39,365 and Frank C. Nicholas, Reg. No. 33,983.

Send correspondence to: Frank C. Nicholas, CARDINAL LAW GROUP, Suite 2000, 1603 Orrington Avenue, Evanston, IL, 60201, and direct all telephone calls to (847) 424-2521.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR: JOHNNY R. BREZINA

INVENTORS SIGNATURE: Johnny R. Brezina DATE: 10/25/2001

RESIDENCE: 7506 CREEKBLUFF DRIVE
AUSTIN, TEXAS 78750

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: SAME AS ABOVE

FULL NAME OF SOLE OR FIRST INVENTOR: CHRISTOPHER M. GABEL

INVENTORS SIGNATURE: _____ DATE: _____

RESIDENCE: 518 26TH STREET, NW
ROCHESTER, MINNESOTA 55901

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: SAME AS ABOVE

FULL NAME OF SOLE OR FIRST INVENTOR: BRIAN M. KERRIGAN

INVENTORS SIGNATURE: _____ DATE: _____

RESIDENCE: 6203 AMBERLY PLACE
AUSTIN, TEXAS 78759

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: SAME AS ABOVE

FULL NAME OF SOLE OR FIRST INVENTOR: ROGER T. LINDQUIST

INVENTORS SIGNATURE: _____ DATE: _____

RESIDENCE: 402 9TH STREET NW
DODGE CENTER, MINNESOTA 55927

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: SAME AS ABOVE

FULL NAME OF SOLE OR FIRST INVENTOR: GERALD D. MALAGRINO, JR.

INVENTORS SIGNATURE: _____ DATE: _____

RESIDENCE: 4430 LONDON LANE NW
ROCHESTER, MINNESOTA 55901

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INVENTORS SIGNATURE: _____ DATE: _____

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AUSTIN, TEXAS 78750

CITIZENSHIP: U.S.A.

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FULL NAME OF SOLE OR FIRST INVENTOR: CHRISTOPHER M. GABEL

INVENTORS SIGNATURE: _____ DATE: _____

RESIDENCE: 518 26TH STREET, NW
ROCHESTER, MINNESOTA 55901

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: SAME AS ABOVE

FULL NAME OF SOLE OR FIRST INVENTOR: BRIAN M. KERRIGAN

INVENTORS SIGNATURE: Brian M. Kerrigan DATE: 10/29/01

RESIDENCE: 6203 AMBERLY PLACE
AUSTIN, TEXAS 78759

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: SAME AS ABOVE

FULL NAME OF SOLE OR FIRST INVENTOR: ROGER T. LINDQUIST

INVENTORS SIGNATURE: _____ DATE: _____

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DODGE CENTER, MINNESOTA 55927

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10/25/01 10:20:00

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INVENTORS SIGNATURE: Roger T Lindquist DATE: 10/25/01

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INVENTORS SIGNATURE: Gerald D Malagrin Jr DATE: 10/25/01

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